

**(d) Officers**

The office of honorary chairman of the corporation shall be tendered to the President of the United States. Upon acceptance of such office, the honorary chairman shall be invited to preside at such meetings of the corporation as he may deem appropriate and convenient. The corporation shall have such other officers as may be designated in its bylaws.

(Pub. L. 96-165, § 5, Dec. 29, 1979, 93 Stat. 1270.)

**§ 1306. Acquisition of assets and liabilities of existing corporation; retention of State corporate status**

Upon the enactment of this charter, the corporation shall acquire the assets and assume the liabilities of the New York corporation. The United Service Organizations, Incorporated, shall retain and maintain its existing status as a corporation incorporated under the laws of the State of New York, another State, or the District of Columbia.

(Pub. L. 96-165, § 6, Dec. 29, 1979, 93 Stat. 1271.)

**§ 1307. Exclusive right to names, insignia, emblems, and badges**

The corporation, its regional, State, and local councils, organizations, chapters, and affiliates shall have the sole and exclusive right to use the names “United Service Organizations, Incorporated” and “USO” and such distinctive insignia, emblems, and badges as the corporation may lawfully adopt in carrying out its purposes.

(Pub. L. 96-165, § 7, Dec. 29, 1979, 93 Stat. 1271.)

**§ 1308. Assistance by Government agencies**

The Department of Defense may make its resources available to the USO, to the extent compatible with the primary mission of the Department of Defense and in accordance with guidelines promulgated by the Secretary of Defense, in order to facilitate the accomplishment of the USO mission.

(Pub. L. 96-165, § 8, Dec. 29, 1979, 93 Stat. 1271.)

**§ 1309. Miscellaneous provisions****(a) Principal office; territorial scope of activities**

The principal office of the corporation shall be located in New York, New York, or in such other place as may be later determined by the board of governors, but the activities of the corporation shall not be confined to that place. The said activities may be conducted throughout the various States, territories, and possessions of the United States, and in foreign countries.

**(b) Agent for service of process**

The corporation shall maintain at all times in the District of Columbia a designated agent authorized to accept service of process for the corporation. Service upon, or notice mailed to the business address of, such agent, shall be deemed notice to or service upon the corporation.

**(c) Local agents for service of process**

The corporation shall file in the office of the secretary of each State, territory, or possession of the United States in which the corporation or

its local, State, or regional councils, organizations, chapters, or affiliates may have activities, the name and post office address of an authorized agent upon whom local process or demands against the corporation may be served.

**(d) Books and records; inspection**

The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, and of its board of governors, or any committee having any of the authority of the board of governors; and shall keep at its principal office a record giving the names and addresses of its members entitled to vote; and shall permit all books and records of the corporation to be inspected by any member or his agent or his attorney for any purpose at any reasonable time.

**(e) Annual report**

The corporation shall make public an annual report concerning its proceedings and activities for the preceding calendar year.

**(f) Audit of financial transactions**

The provisions of sections 1102 and 1103 of this title shall apply with respect to the corporation.

**(g) Omitted****(h) Reservation of right to amend or repeal chapter**

The right to alter, amend, or repeal this chapter is hereby expressly reserved to the Congress.

(Pub. L. 96-165, § 9, Dec. 29, 1979, 93 Stat. 1271, 1272.)

## CODIFICATION

Subsec. (g) provided for an amendment to section 1101 of this title.

**CHAPTER 46—UNITED STATES HOLOCAUST MEMORIAL COUNCIL**

Sec.	
1401.	Council established; functions.
1402.	Membership. <ul style="list-style-type: none"> <li>(a) Composition of Council; appointment; vacancies.</li> <li>(b) Composition of initial Council; tenure.</li> <li>(c) Term of office.</li> <li>(d) Chairperson and Vice Chairperson; term of office; vacancies.</li> <li>(e) Reappointment.</li> </ul>
1403.	Compensation; travel expenses; full-time officers or employees of United States or Members of Congress.
1404.	Administrative provisions. <ul style="list-style-type: none"> <li>(a) Bylaws; quorum.</li> <li>(b) Experts and consultants.</li> <li>(c) Contract authority.</li> <li>(d) Assistance from other Federal departments and agencies.</li> <li>(e) Administrative services and support.</li> </ul>
1405.	Staff. <ul style="list-style-type: none"> <li>(a) Executive Director.</li> <li>(b) Appointment of employees.</li> </ul>
1406.	Memorial museum. <ul style="list-style-type: none"> <li>(a) Transfer or purchase of real property in District of Columbia.</li> <li>(b) Architectural design approval.</li> <li>(c) Termination of construction and operation authority.</li> <li>(d) Employees performing governmental functions.</li> </ul>

Sec.

- (e) Insurance.
- 1407. Gifts, bequests, and devises of property; tax treatment.
- 1408. Authorization of appropriations.
- 1409. Annual report.
- 1410. Audit of financial transactions.
- 1411. Report.

#### § 1401. Council established; functions

There is hereby established as an independent Federal establishment the United States Holocaust Memorial Council (hereinafter in this chapter referred to as the “Council”). The Council shall—

(1) provide for appropriate ways for the Nation to commemorate the Days of Remembrance, as an annual, national, civic commemoration of the holocaust, and shall encourage and sponsor appropriate observances of such Days of Remembrance throughout the United States;

(2) plan, construct, and operate, a permanent living memorial museum to the victims of the holocaust, in cooperation with the Secretary of the Interior and other Federal agencies as provided in section 1406<sup>1</sup> of this title; and

(3) develop a plan for carrying out the recommendations of the President’s Commission on the Holocaust in its report to the President of September 27, 1979, to the extent such recommendations are not otherwise provided for in this chapter.

(Pub. L. 96–388, §1, Oct. 7, 1980, 94 Stat. 1547; Pub. L. 99–190, §101(d) [title III, §324(1)], Dec. 19, 1985, 99 Stat. 1224, 1267; Pub. L. 102–529, §3(1), Oct. 27, 1992, 106 Stat. 3463.)

#### CODIFICATION

Section 1406 of this title, referred to in par. (2), was in the original “section 5”, meaning section 5 of Pub. L. 96–388, which is classified to section 1405 of this title. This reference was translated as section 1406 of this title, which was enacted by section 6 of Pub. L. 96–388, to reflect the probable intent of Congress in view of the subject matter of section 1406, which relates to the planning, construction, and operation of a permanent living memorial museum to victims of the holocaust.

#### AMENDMENTS

1992—Par. (2). Pub. L. 102–529 substituted “operate” for “oversee the operation of”.

1985—Pub. L. 99–190 inserted “as an independent Federal establishment” after “established” in first sentence.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1406 of this title.

#### § 1402. Membership

##### (a) Composition of Council; appointment; vacancies

The Council shall consist of sixty-five voting members appointed (except as otherwise provided in this section) by the President and the following ex officio nonvoting members:

- (1) one appointed by the Secretary of the Interior;
- (2) one appointed by the Secretary of State, and

(3) one appointed by the Secretary of Education.

Of the sixty-five voting members, five shall be appointed by the Speaker of the United States House of Representatives from among members of the United States House of Representatives and five shall be appointed by the President pro tempore of the United States Senate upon the recommendation of the majority and minority leaders from among members of the United States Senate. Any vacancy in the Council shall be filled in the same manner as the original appointment was made.

##### (b) Composition of initial Council; tenure

The members of the United States Holocaust Memorial Council, as in effect immediately before October 7, 1980, are hereby designated as members of the Council. All noncongressional voting members designated under the preceding sentence shall serve terms as follows:

(1) All such noncongressional voting members shall serve until January 15, 1986.

(2) On January 15, 1986, the terms of eleven of such noncongressional voting members, as designated in the bylaws of the Council, shall terminate.

(3) On January 15 of each year thereafter through 1990 the terms of eleven other such noncongressional voting members, as designated in the bylaws of the Council, shall terminate.

##### (c) Term of office

(1) Except as provided in subsection (b) of this section and except as otherwise provided in this subsection, Council members shall serve for five-year terms.

(2) The terms of the five members of the United States House of Representatives and the five members of the United States Senate appointed during any term of Congress shall each expire at the end of such term of Congress.

(3) Any member appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. A member, other than a Member of Congress appointed by the Speaker of the United States House of Representatives or the President pro tempore of the United States Senate, may serve after the expiration of his term until his successor has taken office.

##### (d) Chairperson and Vice Chairperson; term of office; vacancies

(1) Except as provided in paragraph (2), the Chairperson and Vice Chairperson of the Council shall be appointed by the President from among the members of the Council and such Chairperson and Vice Chairperson shall each serve for terms of five years. Vacancies in the offices of Chairperson and Vice Chairperson shall be filled, as they arise, by appointment of the President.

(2) The Chairperson and Vice Chairperson of the United States Holocaust Memorial Council, as in effect immediately before October 1, 1980, are hereby designated respectively as the initial Chairperson and Vice Chairperson of the Council. Such initial Chairperson and Vice Chairperson shall serve until January 15, 1986.

<sup>1</sup> See Codification note below.

**(e) Reappointment**

Members whose terms expire may be reappointed, and the Chairperson and Vice Chairperson may be reappointed to those offices.

(Pub. L. 96-388, §2, Oct. 7, 1980, 94 Stat. 1547; Pub. L. 97-84, §1(1)–(3), Nov. 20, 1981, 95 Stat. 1097.)

**AMENDMENTS**

1981—Subsec. (a). Pub. L. 97-84, §1(1), increased size of Council from sixty members to sixty-five members.

Subsec. (b). Pub. L. 97-84, §1(2), substituted “are hereby designated as members” for “are hereby designated as the initial members” and “All noncongressional voting members designated under the preceding sentence” for “Such initial members (other than the initial members appointed from the United States Senate or the United States House of Representatives)” in provisions preceding par. (1), substituted “All such noncongressional voting members” for “All initial members” in par. (1), substituted “eleven of such noncongressional voting members” for “ten of such initial members” in par. (2), substituted “eleven other such noncongressional voting members” for “ten other initial members” in par. (3), and struck out provision following par. (3) which had provided that the terms of the initial members appointed from the United States Senate and the United States House of Representatives would expire upon the expiration of the term of Congress in session on Oct. 7, 1980.

Subsec. (c)(1). Pub. L. 97-84, §1(3), struck out “with respect to the initial members of the Council” after “Except as provided in subsection (b) of this section”.

**§ 1403. Compensation; travel expenses; full-time officers or employees of United States or Members of Congress**

(a) Except as provided in subsection (b) of this section, members of the Council are each authorized to be paid the daily equivalent of the maximum annual rate of basic pay in effect for grade GS-18 of the General Schedule for each day (including traveltime) during which they are engaged in the actual performance of duties of the Council. While away from their homes or regular places of business in the performance of services for the Council, members of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed expenses under section 5703 of title 5.

(b) Members of the Council who are full-time officers or employees of the United States or Members of the Congress shall receive no additional pay by reason of their service on the Council.

(Pub. L. 96-388, §3, Oct. 7, 1980, 94 Stat. 1548.)

**REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES**

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, §101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

**§ 1404. Administrative provisions****(a) Bylaws; quorum**

The Council shall adopt bylaws to carry out its functions under this chapter. One-third of

the members of the Council shall constitute a quorum, and any vacancy in the Council shall not affect its powers to function.

**(b) Experts and consultants**

The Council may obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, at rates not to exceed the daily equivalent of the maximum annual rate of basic pay in effect for grade GS-18 of the General Schedule.

**(c) Contract authority**

The Council may, in accordance with applicable law, enter into contracts and other arrangements with public agencies and with private organizations and persons and may make such payments as may be necessary to carry out its functions under this chapter.

**(d) Assistance from other Federal departments and agencies**

The Secretary of the Smithsonian Institution, the Library of Congress, and all executive branch departments, agencies, and establishments of the United States may assist the Council in the performance of its functions under this chapter.

**(e) Administrative services and support**

The Secretary of the Interior may provide administrative services and support to the Council on a reimbursable basis.

(Pub. L. 96-388, §4, Oct. 7, 1980, 94 Stat. 1548.)

**REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES**

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, §101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

**APPOINTMENT OF MEMBERS OF COMMITTEES ASSOCIATED WITH UNITED STATES HOLOCAUST MEMORIAL COUNCIL**

Pub. L. 100-202, §101(g) [title II], Dec. 22, 1987, 101 Stat. 1329-213, 1329-251, provided: “That hereafter persons other than members of the United States Holocaust Memorial Council may be designated as members of committees associated with the United States Holocaust Memorial Council subject to appointment by the Chairman of the Council: *Provided further*, That any persons so designated shall serve without cost to the Federal Government”.

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 99-500, §101(h) [title II], Oct. 18, 1986, 100 Stat. 1783-242, 1783-283, and Pub. L. 99-591, §101(h) [title II], Oct. 30, 1986, 100 Stat. 3341-242, 3341-283.

Pub. L. 99-190, §101(d) [title II], Dec. 19, 1985, 99 Stat. 1224, 1262.

**WAIVER OF HOLOCAUST MEMORIAL COUNCIL BYLAWS**

Pub. L. 100-202, §101(g) [title II], Dec. 22, 1987, 101 Stat. 1329-213, 1329-251, provided: “That hereafter the Chairman of the Council may waive any Council bylaw when the Chairman determines such waiver will be in the best interest of the Council: *Provided further*, That hereafter immediately after taking such action the Chairman shall send written notice to every voting member of the Council and such waiver shall become final if 30 days after the Chairman has sent such notice, a majority of Council members do not disagree in writing with the action taken”.

Similar provisions were contained in the following prior appropriation act:

Pub. L. 99-500, § 101(h) [title II], Oct. 18, 1986, 100 Stat. 1783-242, 1783-283, and Pub. L. 99-591, § 101(h) [title II], Oct. 30, 1986, 100 Stat. 3341-242, 3341-283.

#### § 1405. Staff

##### (a) Executive Director

There shall be an Executive Director of the Holocaust Memorial Museum who shall be appointed by the Chairperson of the Council, subject to confirmation of the Council, who may be paid with nonappropriated funds, and who, if paid with appropriated funds, shall be paid at a rate not to exceed the maximum rate of basic pay payable for GS-18 of the General Schedule. The Executive Director shall serve at the pleasure of the Council.

##### (b) Appointment of employees

The Executive Director shall have authority to—

(1) appoint employees in the competitive service subject to the provisions of chapter 51 and subchapter III of chapter 53 of title 5 relating to classification and general schedule pay rates; and

(2) appoint and fix the compensation (at a rate not to exceed the maximum rate of basic pay payable for GS-18 of the General Schedule) of up to three employees notwithstanding any other provision of law; and

(3) implement decisions of the Council, in the manner directed by the Council, and perform such other functions as may be assigned from time to time by the Council, the Executive Committee of the Council, or the Chairperson of the Council.

(Pub. L. 96-388, § 5, Oct. 7, 1980, 94 Stat. 1549; Pub. L. 97-84, § 1(4), Nov. 20, 1981, 95 Stat. 1097; Pub. L. 100-71, title I, § 101, July 11, 1987, 101 Stat. 418; Pub. L. 103-138, title III, § 309, Nov. 11, 1993, 107 Stat. 1416.)

#### AMENDMENTS

1993—Subsec. (a). Pub. L. 103-138 substituted “There shall be an Executive Director of the Holocaust Memorial Museum who shall be appointed by the Chairperson of the Council, subject to confirmation of the Council, who may be paid with nonappropriated funds, and who, if paid with appropriated funds,” for “The Council shall, without regard to section 5311(b) of title 5, have an Executive Director who shall be appointed by the Chairperson of the Council, subject to confirmation of the Council and who”.

1987—Subsec. (a). Pub. L. 100-71 substituted “the Chairperson of the Council, subject to confirmation of the Council” for “the President upon the recommendation of the Chairperson of the Council” and inserted provision at end that the Executive Director serve at pleasure of Council.

Subsec. (b)(3). Pub. L. 100-71 added par. (3).

1981—Subsec. (b). Pub. L. 97-84 substituted provisions granting the Executive Director authority to (1) appoint employees in the competitive service subject to the provisions of chapter 51 and subchapter III of chapter 53 of title 5 relating to classification and general schedule pay rates, and (2) appoint and fix the compensation (at a rate not to exceed the maximum rate of basic pay payable for GS-18 of the General Schedule) of up to three employees notwithstanding any other provision of law for provisions which authorized the Executive Director, without regard to section 5311(b) of title 5, to appoint and fix the pay of such additional person-

nel as the Director considered appropriate and which also provided that the Executive Director and staff of the Council be appointed subject to the provisions of title 5 governing appointments in the competitive service, and be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of title 5 relating to classifications and General Schedule pay rates.

#### REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, § 101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

#### MEMORIAL EMPLOYEES BROUGHT INTO COMPETITIVE SERVICE

Pub. L. 102-381, title II, Oct. 5, 1992, 106 Stat. 1415, provided in part: “That all employees of the memorial on April 1, 1993, including employees currently on excepted appointments covered under schedules A, B, and C, who are performing inherently governmental functions which will continue after the opening of the museum shall be brought into the competitive service in accordance with the classification and pay policy guidelines contained in title V [5] of the United States Code.”

#### § 1406. Memorial museum

##### (a) Transfer or purchase of real property in District of Columbia

For purposes of establishing the memorial museum referred to in paragraph (2) of section 1401 of this title, any department, agency, or instrumentality of the United States is authorized to transfer to the administrative jurisdiction of the Council, with the approval of the Secretary of the Interior in consultation with the Commission of Fine Arts and the National Capital Planning Commission, any real property in the District of Columbia which is under the administrative jurisdiction of such department, agency, or instrumentality and which is deemed suitable by the Council for such memorial. With the approval of the Secretary of the Interior, in consultation with the Commission of Fine Arts and the National Capital Planning Commission, the Council may purchase, with the consent of the owner thereof, any real property within the District of Columbia which it deems suitable for purposes of establishing such memorial museum.

##### (b) Architectural design approval

The architectural design for such memorial museum shall be subject to the approval of the Secretary of the Interior, in consultation with the Commission of Fine Arts and the National Capital Planning Commission.

##### (c) Termination of construction and operation authority

The authority conferred pursuant to this chapter for the construction and operation of the memorial museum shall lapse on the date five years after October 7, 1980 unless (1) the erection or establishment of such memorial is commenced within such five year period, and (2) prior to the commencement, the Secretary of the Interior certifies that funds are available in an amount sufficient, in the judgment of the

Secretary, to ensure completion of the memorial museum.

**(d) Employees performing governmental functions**

All employees of the memorial who<sup>1</sup> on April 1, 1993, including employees currently on expected appointments covered under schedules A, B, and C who are performing inherently governmental functions which will continue after the opening of the museum shall be brought into the competitive service in accordance with the classification and pay policy guidelines contained in title V<sup>2</sup> of the United States Code.

**(e) Insurance**

The Council shall maintain insurance on the memorial museum to cover such risks, in such amount, and containing such terms and conditions as the Council deems necessary.

(Pub. L. 96-388, § 6, Oct. 7, 1980, 94 Stat. 1549; Pub. L. 102-529, § 3(2), Oct. 27, 1992, 106 Stat. 3463.)

AMENDMENTS

1992—Subsecs. (d), (e). Pub. L. 102-529 added subsecs. (d) and (e).

TRANSFER OF AUDITORS WEST BUILDING (ANNEX 3);  
RESPONSIBILITY FOR REPAIRS AND ALTERATIONS

Pub. L. 101-45, title II, June 30, 1989, 103 Stat. 125, provided that:

“Notwithstanding any other provision of law, the Administrator of General Services (Administrator) shall transfer to the administrative jurisdiction of the Holocaust Memorial Council (Council), without consideration, the Auditors West Building (Annex 3) located at Raoul Wallenberg Place and Independence Avenue Southwest, Washington, District of Columbia.

“Prior to such transfer of jurisdiction to the Council, the Council shall agree to perform all necessary repairs and alterations to the Auditors West Building so as to renovate the exterior of the Auditors West Building in a manner consistent with preservation of the historic architecture of the building, and to preserve the structural integrity of the building. The Council, prior to such transfer, shall furnish to the Administrator, for his approval, a plan detailing the repairs and alterations proposed, dates for completion of the work, and funding availability.

“In the event the Council ceases to exist, administrative jurisdiction of the Auditors West Building (Annex 3) shall revert to the General Services Administration.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1401 of this title.

**§ 1407. Gifts, bequests, and devises of property; tax treatment**

The Council may solicit, accept, hold, administer, invest, and use gifts, bequests, and devises of property, both real and personal, to aid or facilitate the construction, maintenance, and operation of the memorial. Property may be accepted pursuant to this section, and the property and the proceeds thereof used as nearly as possible in accordance with the terms of the gift, bequest, or devise donating such property. Funds donated to and accepted by the Council pursuant to this section are not to be regarded as appropriated funds and are not subject to any

requirements or restrictions applicable to appropriated funds. For the purposes of Federal income, estate, and gift taxes, property accepted under this section shall be considered as a gift, bequest, or devise to the United States.

(Pub. L. 96-388, § 7, Oct. 7, 1980, 94 Stat. 1549; Pub. L. 99-190, § 101(d) [title III, § 324(2)], Dec. 19, 1985, 99 Stat. 1224, 1267.)

AMENDMENTS

1985—Pub. L. 99-190 inserted “invest,” after “administer,” in first sentence, and inserted provisions relating to funds donated to and accepted by the Council not being regarded as appropriated funds.

**§ 1408. Authorization of appropriations**

To carry out the purposes of this chapter there are authorized to be appropriated such sums as may be necessary for fiscal year 1993 and for each succeeding fiscal year through fiscal year 2000. Notwithstanding any other provision of law, there are authorized to be appropriated to the Council such amounts as may be necessary to obtain, from a private insurance carrier, insurance against loss in connection with the memorial museum and related property and exhibits. Notwithstanding any other provision of this chapter, no funds authorized under this chapter may be used for construction. Authority to enter into contracts and to make payments under this chapter, using funds authorized to be appropriated under this section shall be effective only to the extent, and in such amounts, as provided in advance in appropriations Acts.

(Pub. L. 96-388, § 8, Oct. 7, 1980, 94 Stat. 1549; Pub. L. 102-529, § 1, Oct. 27, 1992, 106 Stat. 3463.)

AMENDMENTS

1992—Pub. L. 102-529 amended section generally. Prior to amendment, section read as follows: “There is authorized to be appropriated to carry out the purposes of this chapter \$722,000 for the fiscal year 1981, \$800,000 for the fiscal year 1982, and \$850,000 for the fiscal year 1983: *Provided, however,* That notwithstanding any other provision of this chapter, none of the funds authorized herein may be available for construction. Authority to enter into contracts and to make payments under this chapter, using funds authorized to be appropriated under this section, shall be effective only to the extent, and in such amounts, as provided in advance in appropriation Acts.”

**§ 1409. Annual report**

The Executive Director shall make a full report annually to the Congress of his stewardship of the authority to construct, operate, and maintain the Holocaust Museum, including an accounting of all financial transactions involving donated funds.

(Pub. L. 96-388, [§ 9], as added Pub. L. 99-190, § 101(d) [title III, § 324(3)], Dec. 19, 1985, 99 Stat. 1224, 1267.)

**§ 1410. Audit of financial transactions**

Financial transactions of the Council, including those involving donated funds, shall be audited by the Comptroller General as requested by the Congress, in accordance with generally accepted auditing standards. In conducting any audit pursuant to this section, appropriate representatives of the Comptroller General shall

<sup>1</sup> So in original. The word “who” probably should not appear.

<sup>2</sup> So in original. Probably should be title “5”.

have access to all books, accounts, financial records, reports, files and other papers, items or property in use by the Council, as necessary to facilitate such audit, and such representatives shall be afforded full facilities for verifying transactions with the balances.

(Pub. L. 96-388, [§10], as added Pub. L. 99-190, §101(d) [title III, §324(3)], Dec. 19, 1985, 99 Stat. 1224, 1267.)

#### § 1411. Report

The Council shall submit to Congress by June 30, 1995, a report containing each of the following:

- (1) A description of the extent to which the objectives of this chapter are being met.
- (2) An examination of future major endeavors, initiatives, programs, or activities that the Council or museum proposes to undertake to better fulfill the objectives of this chapter.
- (3) An examination of the Federal role in the funding of the Council and its activities, and any changes that may be warranted.

(Pub. L. 96-388, §11, as added Pub. L. 102-529, §2, Oct. 27, 1992, 106 Stat. 3463.)

### CHAPTER 47—NATIONAL SKI PATROL SYSTEM, INC.

Sec.	
1501.	Recognition as corporation and grant of Federal charter.
1502.	Powers of corporation.
1503.	Purposes of corporation.
1504.	Service of process.
1505.	Membership.
1506.	Board of directors.
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1508.	Restrictions.
	(a) Distribution of income or assets to members.
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1509.	Liability for acts of officers and agents.
1510.	Books and records; inspection.
1511.	Annual report.
1512.	Reservation of right to amend or repeal chapter.
1513.	"State" defined.
1514.	Tax-exempt status.

#### § 1501. Recognition as corporation and grant of Federal charter

National Ski Patrol System, Incorporated, a corporation organized under the laws of the States of New York and Colorado is hereby recognized as such and granted a Federal charter.

(Pub. L. 96-489, §1, Dec. 2, 1980, 94 Stat. 2553.)

#### § 1502. Powers of corporation

National Ski Patrol System, Incorporated (hereinafter referred to as the "corporation") shall have only those powers granted to it through its bylaws and articles of incorporation filed in the States where it is incorporated.

(Pub. L. 96-489, §2, Dec. 2, 1980, 94 Stat. 2553.)

#### § 1503. Purposes of corporation

The purposes of the corporation shall be to promote, in any and all ways, patriotic, sci-

entific, educational and civic improvement activities, public safety in skiing, including, without limiting the generality of the foregoing, the dissemination of information with respect thereto and the formation of volunteer local patrols, consisting of competent skiers trained in the administration of first aid, for the purpose of preventing accidents and rendering speedy assistance to persons sustaining accidents; to solicit contributions of money, services, and other property for, and generally to encourage and assist in carrying out, the foregoing purposes in every way.

(Pub. L. 96-489, §3, Dec. 2, 1980, 94 Stat. 2553.)

#### § 1504. Service of process

With respect to service of process, the corporation shall comply with the laws of the States in which it is incorporated and those States in which it carries on its activities in furtherance of its corporate purposes.

(Pub. L. 96-489, §4, Dec. 2, 1980, 94 Stat. 2553.)

#### § 1505. Membership

Eligibility for membership in the corporation and the rights and privileges of members shall, except as provided in this chapter, be as provided in the bylaws of the corporation.

(Pub. L. 96-489, §5, Dec. 2, 1980, 94 Stat. 2553.)

#### § 1506. Board of directors

The board of directors of the corporation and the responsibilities thereof shall be as provided in the articles of incorporation of the corporation and in conformity with the laws of the State or States where incorporated.

(Pub. L. 96-489, §6, Dec. 2, 1980, 94 Stat. 2553.)

#### § 1507. Officers

The officers of the corporation and the election of such officers shall be the same as is provided for in the articles of incorporation of the corporation and in conformity with the laws of the State or States where incorporated.

(Pub. L. 96-489, §7, Dec. 2, 1980, 94 Stat. 2554.)

#### § 1508. Restrictions

##### (a) Distribution of income or assets to members

No part of the income or assets of the corporation shall inure to any member, officer, or director of the corporation or be distributed to any such person during the life of this charter. Nothing in this subsection shall be construed to prevent the payment of reasonable compensation to officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the board of directors.

##### (b) Loans

The corporation shall not make any loan to any officer, director, or employee of the corporation.

##### (c) Political activities

The corporation and any officer and director of the corporation, acting as such officer or director, shall not contribute to, support or other-